

Danville Town Council Meeting Minutes

July 16, 2018

- I. **Call to Order**: Council President Mike Neilson called the meeting of the Danville Town Council to order at 7:00 pm on July 16, 2018 in the Danville Town Hall, 49 N. Wayne Street.
 - II. **Roll Call**: President Mike Neilson acknowledged a quorum of the Council and led everyone in the Pledge of Allegiance to the American Flag. The following Council members in attendance: Mike Neilson, Marcia Lynch, Tom Pado, Jim Stephens and Dennis Wynn. The following administrative officials were present: Laura Parker, Assistant Town Manager. Town Manager Gary Eakin and Clerk-Treasurer Jenny Percy were absent.
 - III. **Approval of Minutes**: Motion was made by Dennis Wynn to approve the minutes as submitted for the Town Council meeting of July 2, 2018. Seconded by Jim Stephens. Motion passed 5-0.
- IV. **Public Meeting**:
- A. **Fiber Optic Update** – Jay Watkins reported to the Council that free Wi-Fi access is now available on the downtown square. He also mentioned the school has converted to Endeavor this past month. They have been working with Hendricks Power and the fair board to create 31 wireless access points in and around the fairgrounds and will be live-streaming some of the livestock shows during the fair. He reported that the main line has been completed in Barryknoll and is ready for service. So far 6 out of 70 homes have signed up for service. The build-out cost them \$80,000. Next they will be focusing on providing service to businesses on the square. Endeavor is also looking at LTE technology which allows cell phones to make a faster wireless connection. Jay asked the Town to get more involved in the promotion of the fiber service by sending mailers out with water bills or posting on social media about the benefits of fiber.
 - B. **National Night Out Street Closure Request** – School Resource Officer Matt Oliphant, on behalf of the Danville Police Department, requested the closure of Marion and Washington streets on August 7th between the hours of 6am to 10pm for the National Night Out event on the downtown square. Motion was made by Marcia Lynch and seconded by Tom Pado. Motion passed 5-0.
 - C. **Drainage Issue at 1375 E. Main Street** – Stormwater Administrator Barry Lofton and Walt Reeder, the Town's engineering consultant, addressed the Council concerning the drainage issue that Larry and Leon Edwards of Edwards Equipment brought up at the July 2nd meeting. The ditch that Edwards complained about is on private property and is not in an easement. The Town is only responsible for drainage facilities in the right-of-way. Barry further stated that they don't have a drainage problem. The water drains well through this property and has for a long time. However, there is natural erosion occurring where the water drains across their property, but that is not the Town's issue to fix. If they want to address the natural erosion occurring on their private property, then it's up to them. The Town cannot spend stormwater money to fix a private property owner's problem. Barry felt that their real issue is the desire to have the Town put in a pipe so they can create a new access point further back on the property. Nevertheless, the staff has been working for a year with Wabash Valley Power who is in the process of designing a new substation next to the Edwards property. The substation design will create a new roadway and, as a result, a new access point will be created for the Edwards' property. It has just been a slow process, but it is hoped that the new access created by the substation project will help solve the Edwards' issue.
 - D. **Ordinance 9 -2018 Mailbox Parking Amendment** – This ordinance was introduced at the July 2nd meeting. It was in response to a mailbox parking complaint from Shirley Richards who lives at 1318 Brook Court. Mrs. Richards explained to the council that they live on a cul-de-sac and during the day, cars park in front of her mailbox and the mail carrier will not deliver the mail if the box is obstructed. Leonard Rowe who resides at 257 Old Farm Road also has issues of cars parking in front of his mailbox. This amendment was posted on the Town's Facebook page for input and President Mike Neilson reviewed the comments received from that post. After extensive discussion about suggested changes, a motion was made by Jim Stephens to adopt the ordinance as written. Seconded by Marcia Lynch. Motion passed 3-2. Dennis Wynn and Mike Neilson voted nay.

- E. **Ordinance 10-2018 Golf Cart Use & Operation** – This ordinance is being introduced at the request of Councilman Tom Pado. He invited Jim Phillips to the podium to address the council with his suggestions regarding the proposed ordinance which included requiring seatbelts, a flashing yellow light, and drivers must be 18+ years old to operate a golf cart. He also suggested changing the maximum speed limit from 25 mph to 30 mph on town streets and only allowing carts to cross US 36 at a stop light. Superintendent Whitaker was asked to look into signs that can be added to the town limit signs. Ordinance 10-2018 will be revised with the discussed changes and brought back to the next meeting.
- F. **Resolution 9-2018 Declare Zero Value Police Department** – Chief Raney explained to the Council that the police department has two bulletproof vests nearing the end of their 5-year life span. Vests are custom fit and cannot be worn by any other officers currently on staff. Declaring them to have zero value will allow the police department to dispose of the vests. A motion was made by Marcia Lynch and seconded by Tom Pado. Motion passed 5-0.
- G. **Resolution 10-2018 Timekeeping Policy** – The Town is converting to an electronic timekeeping system called Kronos. Laura Parker explained to the Council that the Employee Policy Handbook needs to be amended to include a policy on the use and operation of the new timekeeping system. A motion was made by Marcia Lynch to adopt the policy as written. Seconded by Jim Stephens. Motion passed 5-0.
- H. **Ordinance 11-2018 Additional Appropriations** – This ordinance provides for additional funds to be added to the 2018 budgeted line items for the following areas: General Fund, EDIT, Stormwater, and Community Crossings. These amounts are new monies for the 2018 budget and are being appropriated to the requisite account. The additional appropriations have been advertised for public comment before adopting. There was no public comment made at the meeting. A motion to suspend the rules to pass on first reading was made by Marcia Lynch and seconded by Jim Stephens. Motion to suspend passed 5-0. A motion to adopt the ordinance was made by Marcia Lynch and seconded by Tom Pado. Motion passed 5-0.
- I. **Change Order for North Tank Maintenance Project** – Water Superintendent Jim Russell and Josh Selig with Banning Engineering presented the change order to the Council. The north water tower is undergoing routine maintenance and painting the hatch on top of the tank will need to be replaced. This will change the cost of the original contract. The hatch replacement is \$9,400. The total project cost was bid well under the engineer's estimate, so there is room in the budget to absorb the change order and still be under budget. Motion was made to accept the change order by Dennis Wynn and seconded by Jim Stephens. Motion passed 5-0.

V. **Department Head Reports**

- A. **Water** – Superintendent Jim Russell reported that the crew is doing a great job and the water tower painting is 70% complete. Jim hopes to start putting water in the tank soon. The contractor will start lettering the tank on Thursday, July 19th weather permitting. The water plant is pumping a million gallons of water per day because the weather is so hot and dry. Jim reminded everyone to conserve water as much as possible.
- B. **Wastewater** – Superintendent Jerry Crisp distributed his monthly report to the Council and announced that the Water/Wastewater Master Plan RFQ was released today.
- C. **Fire** – Chief Mark Morgan provided his monthly report to the Council. There were 165 incidents for the month of June. The 4-H Fair is up and running and he'll have personnel on site for the duration.
- D. **Police** – Chief Raney reported there were a 670 runs for the month of June. He thanked HRH for their annual appreciation day for police and fire. New hire Brandon Blinn has passed his physical and physiological requirement—he is waiting on '77 PERF approval.
- E. **Planning** – Laura Parker stated that Tractor Supply has submitted for site plan review.
- F. **Stormwater** – Superintendent Barry Lofton reported all the stormwater pipe and structures are in the ground. He is working on getting a date for patching before paving starts.
- G. **Public Works** – Superintendent Ray Whitaker thanked Barry Lofton for a great job on the stormwater improvements. He stated that on August 6th, Jefferson Street will be closed for the pavement replacement on the square. On August 11th, Farmers Market will be moving to Washington Street. On July 23rd Reith-Riley will start paving E. Main St. from the County Home to CR 400 East.
- H. **Park** – Assistant Superintendent Eric Lobosky turned in the director's report to the Council and thanked Public Works on the install of the steps by the new multi-purpose courts.

VI. Public Comments

Brian Hosking and business partner Dustin Ward of Hometown Insurance gave his condolences to the Town on the passing of Rich Jensen of Stevenson-Jensen Insurance. Mr. Hosking has taken over the Cincinnati Insurance clients of Stevenson-Jensen. He wanted to introduce himself and offered to assist the Town with insurance needs that may arise.

Council/Staff Comments

Dennis Wynn requested an Executive Session to discuss potential litigation. The date was set for July 23rd at 6 pm.

Laura Parker reminded the Council that the Employee Cookout is Wednesday, July 25th at the pool. She also announced that Town Manager Gary Eakin will be back to work Tuesday, July 17th after recovering from knee surgery 6 weeks ago.

Tom Pado asked Council President Mike Neilson for permission to make a motion. Mike explained what would customarily be needed to make a motion. Tom expressed interest in making a change to the Police Commission that would eliminate the department liaison and remove the two council members from the Commission. Mike asked Tom to put it in writing and bring it back to the next meeting so they could consider it.

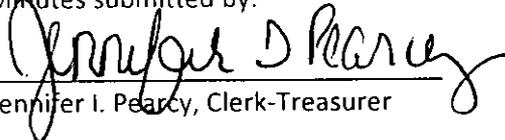
Marcia Lynch reminded the Council that none of them have the single authority to give direction to department heads. Direction should come from the Council as a whole and changing an ordinance or resolution is fine following discussion. She thanked the Parks Dept for Evenings at Ellis and the Town staff that assisted with Family 4th Fest and the Town's contribution towards the fireworks.

Mike Neilson said that the 4th Fest was awesome.

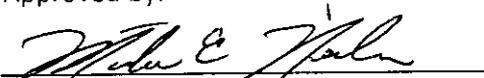
VII. Claim Docket – Dennis Wynn made a motion to approve the claim docket except for the claim for Indiana Public Employers' Plan Inc. check #026081 for \$123,355.62. Seconded by Jim Stephens. Motion carried 5-0.

VIII. Adjourn – President Mike Neilson adjourned the meeting at approximately 8:50 p.m.

Minutes submitted by:


Jennifer I. Percy, Clerk-Treasurer

Approved by:


Mike Neilson, President